

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

20230930-DK-BUTTERFLY-1, INC., f/k/a  
BED BATH & BEYOND INC.,

Plaintiff,

v.

HBC INVESTMENTS LLC and  
HUDSON BAY CAPITAL  
MANAGEMENT LP,

Defendants.

No. 24 Civ. 3370 (MKV)

**NOTICE OF MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Justin M. Ellis, the proposed *amicus curiae* brief attached thereto, and upon the accompanying Memorandum of Law, Securities Regulation Professors Bernard Black, Jonathan R. Macey, and Adam C. Pritchard shall move this Court, before the Honorable Mary Kay Vyskocil, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, New York, at a date and time to be determined by the Court, for an order granting leave to file the attached *amicus curiae* brief and granting such other relief as the Court deems just and proper.

Dated: August 30, 2024  
New York, New York

Respectfully submitted,

/s/ Justin M. Ellis

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